

UNITED STATES DISTRICT COURT,  
SOUTHERN DISTRICT OF NEW YORK

Victor Manuel HERNANDEZ, )  
Plaintiff, )

v. )

GERARD HEINAUER; )  
Director, Nebraska Service Center; )

~~DR. EMILIO T. GONZALES,~~ )  
Director, U. S. Citizenship & )

Immigration Services; )

MICHAEL CHERTOFF, )

Secretary, U. S. Department of )

Homeland Security, )

Defendants, )

Civil Action  
07-CV-7157

STIPULATION AND  
ORDER OF DISMISSAL

(Jones, B)

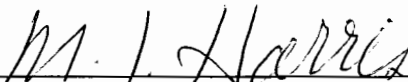
It is hereby stipulated and agreed by and between the parties to this action that this action be dismissed pursuant to Rule 41 of the Federal Rules of Civil Procedure. This dismissal is with prejudice.

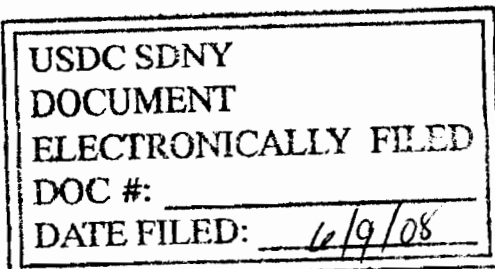
Each party is to bear its own costs, fees, including attorney's fees, and disbursements.

The clerk shall enter judgement in accordance with this Stipulation and Order of Dismissal.

Dated: Brooklyn, New York

April \_\_\_\_, 2008

  
MATTHEW J. HARRIS, of Counsel  
Law Offices of Eric Wuestman  
57 Montgomery Place  
Brooklyn, New York 11215  
(718) 622-4104  
Attorney for Petitioner



Dated: New York, New York  
May 22, 2008

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York  
86 Chambers Street  
New York, NY 10007

By:

  
JAMES LOPREST, ESQ.

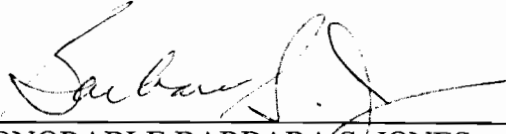
Special Assistant United States Attorney  
(212) 637-2786

**SO ORDERED:**

Dated: Brooklyn, New York

May           , 2008

*June 9, 2008*

  
HONORABLE BARBARA S. JONES  
United States District Judge